APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,385	03/01/2002	Mark L. Beard	J2167.0280/P280	3339

21967   7590   04/05/2007

HUNTON & WILLIAMS LLP
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
SUITE 1200
WASHINGTON, DC 20006-1109

EXAMINER
LIU, I JUNG

ART UNIT	PAPER NUMBER
3691	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-16* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *3/20/2003*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-3 and 5-8 are rejected under 35 U.S.C. 101.

Claims 1-3 and 5-8 provide a method for determining a benefit of pooling separate cash accounts

into a single account. However, the body of claims 1-3 and 5-8 fails to provide tangible end

result. Therefore, claims 1-3 and 5-8 are nonstatutory subject matter.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claim 1, 4-9 and 12-16 are rejected under 35 U.S.C. 102(3) as being unpatentable by

Bent et al. Pub No.: 2002/0091637 A1.

4.   As per claim 1, Bent et al. teaches a method for determining a benefit of pooling separate

cash accounts into a single pooled account, the method comprising: determining separate

minimum cash balances required in the separate cash accounts (Fig. 1; ¶ 0027; ¶ 0038);

aggregating the separate minimum cash balances into an aggregated minimum cash balance (¶

0027; 0029); determining a pooled minimum cash balance required in the single pooled account

(Figs. 1 and 5); and determining a difference between the aggregated minimum cash balance and

the pooled minimum cash balance, wherein the difference is a benefit of pooling (¶ 0029; ¶

0046).

5.   As per claim 4, Bent et al. teaches the method as recited in claim 1 described above.

Bent et al. further teaches comprising: pooling the separate cash accounts into the single pooled

account if the pooled minimum cash balance is less than the aggregated minimum cash balance

(¶ 0015; ¶ 0018; ¶ 0029; ¶ 0046).

6.   As per claim 5, Bent et al. the method as recited in claim 1 described above. Bent et al.

further teaches comprising: receiving the number of separate cash accounts to be pooled

(abstract; ¶ 0018; ¶ 0027); receiving daily balance data for each of the separate cash accounts (¶

0036); receiving an identification of a currency of the separate cash accounts (abstract; Fig. 1;

Fig. 5); and receiving interest spreads for each of the separate cash accounts spread (abstract; ¶

0021; ¶ 0028).

7.   As per claim 6, Bent et al. the method as recited in claim 5 described above. Bent et al.

further teaches wherein the daily balance data is a time series of consecutive daily balance data

(¶ 0036).   ·

8.   As per claim 7, Bent et al. teaches the method as recited in claim 6 described above.

Bent et al. further teaches wherein the daily balance data is for a representative period (¶ 0036,

the specification defines a representative period as up to 3 months, where "a month" is

equivalent of "a representative period").

9.   As per claim 8. The method as recited in claim 7, wherein the representative period is up

to three months (¶ 0036, the specification defines a representative period as up to 3 months,

where "a month" is equivalent of "a representative period").

10.   As per claim 9. A system for determining a benefit of pooling separate cash accounts into

a single pooled account, the system comprising:

a communication network (¶ 0042; Fig. 4); at least one user terminal coupled to the

communication network(¶ 0042; Fig. 4); and an information processor coupled to the

communication network (¶ 0042; Fig. 4), wherein the information processor is operable to:

determine separate minimum cash balances required in the separate cash accounts (Fig. 1;

¶ 0027; ¶ 0038), aggregate the separate minimum cash balances into an aggregated minimum

cash balance (¶ 0027; ¶ 0029), determine a pooled minimum cash balance required in the single

pooled account (Fig. 1 and 5), and determine a difference between the aggregated minimum cash

balance and the pooled minimum cash balance, wherein the difference is a benefit of pooling (¶

0029; ¶ 0046).

11.   As per claim 12, Bent et al. teaches a system as recited in claim 9 described above. Bent

et al. further teaches wherein the information processor is further operable to: issue an instruction

to pool the separate cash accounts into the single pooled account if the pooled minimum cash

balance is less than the aggregated minimum cash balance (¶ 0015; ¶ 0018; ¶ 0029; ¶ 0046).

12.   As per claim 13, Bent et al. teaches a system as recited in claim 9 described above. Bent

et al. further teaches comprising: an input interface, the input interface operable to: receive the

number of separate cash accounts to be pooled (¶ abstract; ¶ 0018; ¶ 0027), receive daily balance

data for each of the separate cash accounts (¶ 0036), receive an identification of a currency of the

separate cash accounts (abstract; Fig. 1; Fig. 5), and receive interest spreads for each of the

separate cash accounts (abstract; ¶ 0021; ¶ 0028).

13.   As per claim 14, Bent et al. teaches the system as recited in claim 13 described above.

Bent et al. further teaches wherein the daily balance data is a time series of consecutive daily

balance data (¶ 0036).

14.   As per claim 15, Bent et al. teaches the system as recited in claim 14 described above.

Bent et al. further teaches wherein the daily balance data is for a representative period (¶ 0036,

the specification defines a representative period as up to 3 months, where "a month" is

equivalent of "a representative period").

15.   As per claim 16, Bent et al. teaches the system as recited in claim 15 described above.

Bent et al. further teaches wherein the representative period is up to three months (¶ 0036, the

specification defines a representative period as up to 3 months, where "a month" is equivalent of

"a representative period").

Claim Rejections - 35 USC § 103

16.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

17. Claim 2-3 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bent

et al. Pub No.: 2002/0091637 A1 in view of Tanaka et al. US Patent Number: 5,799,288.

18. As per claim 2, Bent et al. teaches the method as recited in claim 1 described above.

Bent et al. does not teach wherein the step of determining the separate minimum cash balances

comprises: multiplying a standard deviation of a cash balance in each of the separate cash

accounts by 2.3. Tanaka et al. further teaches wherein the step of determining the separate

minimum cash balances comprises: multiplying a standard deviation of a cash balance in each of

the separate cash accounts by 2.3 (Fig. 24(b) and column 5, lines 57-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add the step of determining the separate minimum cash balances

comprises: multiplying a standard deviation of a cash balance in each of the separate cash

accounts by 2.3 feature to the method for determining a benefit of pooling of Bent et al. because

Tanaka et al. teaches that adding the feature helps to predict demanded cash amounts within a

designated period of time (column 1, lines 65-67).

19. As per claim 3, Bent et al. teaches the method as recited in claim 2 described above.

Bent et al. does not teach wherein the number of separate cash accounts is n, and wherein the

standard deviation of the cash balance in any one of the separate cash accounts is $S(x)$, the step

of determining the separate minimum cash balances is given by $2.3*[sum of S(n)]$. Tanaka et al.

further teaches wherein the number of separate cash accounts is n, and wherein the standard

deviation of the cash balance in any one of the separate cash accounts is $S(x)$, the step of

determining the separate minimum cash balances is given by 2.3*[sum of S(n)] (Fig. 24(a) and

column 5, lines 57-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add the number of separate cash accounts is n, and wherein the

standard deviation of the cash balance in any one of the separate cash accounts is S(x), the step

of determining the separate minimum cash balances is given by 2.3*[sum of S(n)] feature to the

method for determining a benefit of pooling of Bent et al. because Tanaka et al. teaches that

adding the feature helps to predict demanded cash amounts within a designated period of time

(column 1, lines 65-67).

20.   As per claim 10, Bent et al. teaches the method as recited in claim 9 described above.

Bent et al. does not teach wherein the information processor is further operable to determine the

separate minimum cash balances by multiplying a standard deviation of a cash balance in each of

the separate cash accounts by 2.3. Tanaka et al. further teaches wherein the information

processor is further operable to determine the separate minimum cash balances by multiplying a

standard deviation of a cash balance in each of the separate cash accounts by 2.3 (Fig. 24(a) and

column 5, lines 57-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add the information processor is further operable to determine the

separate minimum cash balances by multiplying a standard deviation of a cash balance in each of

the separate cash accounts by 2.3 to the method for determining a benefit of pooling of Bent et

al. because Tanaka et al. teaches that adding the feature helps to predict demanded cash amounts within a designated period of time (column 1, lines 65-67).

21.   As per claim 11, Bent et al. teaches the method as recited in claim 10 described above. Bent et al. does not teach wherein the number of separate cash accounts is n, and wherein the standard deviation of the cash balance in any one of the separate cash accounts is $S(x)$, wherein the information processor is further operable to determine the separate minimum cash balances by $2.3*[sum of S(n)]$. Tanaka et al. further teaches wherein the number of separate cash accounts is n, and wherein the standard deviation of the cash balance in any one of the separate cash accounts is $S(x)$, wherein the information processor is further operable to determine the separate minimum cash balances by $2.3*[sum of S(n)]$ (Fig. 24(a) and column 5, lines 57-67).
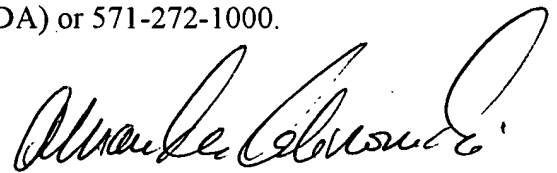
Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the number of separate cash accounts is n, and wherein the standard deviation of the cash balance in any one of the separate cash accounts is $S(x)$, the step of determining the separate minimum cash balances is given by $2.3*[sum of S(n)]$ feature to the method for determining a benefit of pooling of Bent et al. because Tanaka et al. teaches that adding the feature helps to predict demanded cash amounts within a designated period of time (column 1, lines 65-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Liu whose telephone number is 571-270-1370. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Alexander G. Kalinowski can be reached on 571-272-6711. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

***

ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER